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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,951	04/20/2000	Zheng Jia	109905-136719	6045

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EXAMINER

ZAND, KAMBIZ

ART UNIT PAPER NUMBER

2132

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application N .

09/552,951

Applicant(s)

JIA ET AL.

Examiner

Kambiz Zand

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-13, 17-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,6-9,21 and 27 is/are allowed.
- 6) ☒ Claim(s) 10,17,19,20 and 22-26 is/are rejected.
- 7) ☒ Claim(s) 4,5 and 11-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/16/2004 has been entered.
2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action
3. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
4. Examiner withdraws objection to the drawings and specification due to correction by the applicant.
5. Examiner withdraws objection to the amendment filed March 31, 2004 under 35 U.S.C. 132 due to the applicant's persuasive arguments filed December 16<sup>th</sup>, 2004 on pages 8 and 9.
6. Examiner withdraws rejection of the claims under 35 U.S.C 112-First paragraphs due to the applicant's persuasive arguments filed December 16<sup>th</sup>, 2004 on pages 8 and 9.

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7. Claims 3, 14-16 and 18 have been cancelled.
8. Claims 1, 4, 7, 12, 19-21 and 23 have been amended.
9. Claims 1, 2, 4-13, 17 and 19-27 are pending.

### ***Claim Objections***

10. Claims 4, 5 are objected to because of the following informalities: claims 4 and 5 depend on a cancelled claim 3. Examiner considers dependency of claim 4 from claim 1 for the purpose of examination. Appropriate correction is required.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 19, 20 and 22-26 filed 12/16/2004 have been fully considered but they are not persuasive.

Applicant's arguments questioning the motivation used by the previous Examiner with respect to current claim 19 are not persuasive. Claims 19-20 stand rejected.

Applicant's arguments with respect to claim 22 that the reference does not teach "nested" blocks are not persuasive since Applicant admits the "nested" blocks as prior art that one of ordinary skilled in the art would have recognize. Therefore one of ordinary skilled in the art would have been motivated to use nested encryption in order to be able to do selective data encryption (i.e. **Scenario:**

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company has an XML employee database. Various fragments of the employee element are encrypted (salary, medical info, ...). The legal department wants to encrypt all the data of a certain employee involved in a legal dispute with the company.

- **Requirement:** Nested encryptions must be allowed).

- Please use Google search engine for further information with respect to "nested encryption".

Therefore the rejection of claims 22-27 are modified as 103 rejection further in view of Applicant Admittance of Prior Art (AAPA) as applied above (modified).

Therefore the claims 22-27 stand rejected.

### ***Claim Rejections - 35 USC § 103***

12. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aucsmith et al. in view of Pendakar.

**As per claims 19 and 20** see the previous office action and examiner's answer to arguments above.

13. Claims 10, 17 and 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aucsmith et al. in view of Bellar and further in view of Applicant's Admittance of Prior Art (AAPA) see page 13 of Applicant's response.

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**As per claims 10, 17 and 22-26** see the previous office action and examiner's answer to arguments above.

### **Allowable Subject Matter**

**14. Claims 1, 2, 6-9, 21 and 27 are allowed.**

**15. Claims 11-13** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Conclusion**

**16.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (571) 272-3811. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either

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Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

12/23/04